



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Handwritten initials

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,918	01/11/2002	Ramesh Pendakur	42390P11552	7242

8791 7590 01/18/2006
BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER

PWU, JEFFREY C

ART UNIT PAPER NUMBER

2143

DATE MAILED: 01/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. 10/043,918	Applicant(s) PENDAKUR, RAMESH	
Examiner Jeffrey C. Pwu	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 30 September 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-5, 16 and 19-27 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-5, 16 and 19-27 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
- Certified copies of the priority documents have been received.
 - Certified copies of the priority documents have been received in Application No. _____.
 - Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/30/05 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5, 16, and 19-27 are rejected under 35 U.S.C. 102(e) as being unpatentable over Qian (U.S. 2003/0061206).

Qian. discloses claims:

1. A method comprising:

- receiving content from one or more content sources; (170→160→155; fig.1)

Art Unit: 2143

- distributing a metadata dictionary to a plurality of network nodes, wherein the metadata dictionary comprises content descriptors; (420, 410, SMPTE metadata dictionary, RDF, MPEG, TV anytime, Dublin core descriptor, etc.)
- receiving a plurality of subscription information from a plurality of corresponding filtering network nodes of the plurality of network nodes, (510)
- wherein the plurality of subscription information is provided by a plurality of corresponding users via a plurality of receiving network nodes of the plurality of network nodes; (51, 520, 530)
- aggregating the plurality of subscription information; (510)
- using the aggregated subscription information to determine user data including one or more of users' preferences, needs, and interest levels; (140; 210; “personalized content”)
- allocating bandwidth in accordance with the user data; (paragraph [0014], [0018], [0025], & claim 16)
- generating an aggregated content stream based on the allocated bandwidth, wherein the aggregated content stream comprises aggregated content; (paragraph [0014], [0018], [0025], & claim 16) and
- distributing the aggregated content stream to the plurality of filtering network nodes. (630)

2. The method of claim 1, further comprising:

- generating a plurality of user profiles comprising the plurality of subscription information; (510)
- associating the content descriptors with the plurality of user profiles; saving the user profiles; (510, 520, 530)

Art Unit: 2143

- generating a plurality of personalized content streams based on the plurality of user profiles by dividing the aggregated content stream into the plurality of personalized content streams; (510, 520, 530, 535, 540, 550, 560) and
- providing the plurality of personalized content streams to the plurality of receiving network nodes. (510, 520, 530, 535, 540, 550, 560)

3. The method of claim 2, wherein the generating the plurality of personalized content streams comprises filtering the aggregated content stream by comparing the aggregated content stream with the plurality of user profiles. (610 → 640)

4. The method of claim 1, wherein the preparing the aggregated content stream based on the aggregated subscription information further comprises allocating bandwidth based on the aggregated subscription information to maximize the bandwidth. (paragraph [0014], [0018], [0025], & claim 16)

5. The method of claim 1, further comprising providing the plurality of personalized content streams to the plurality of corresponding users.

16. A content delivery system comprising:

- a plurality of filtering hubs to aggregate a plurality of subscription information; (610 → 640) and
- a content distributor coupled to the plurality of filtering hubs, the content distributor to receive content from one or more content sources,

Art Unit: 2143

- distribute a metadata dictionary to a plurality of network nodes, wherein the metadata dictionary having content descriptors,
- receive the plurality of aggregated subscription information from the plurality of filtering hubs, use the plurality of aggregated subscription information to determine user data including one or more of users' preferences, needs, and interest levels,
- allocate bandwidth in accordance with the user data,
- generate an aggregated content stream based on the allocated bandwidth, wherein the aggregated content stream comprises aggregated content, and distribute the aggregated content stream to the plurality of filtering hubs. (claim 18 is similarly rejected as in claim 1)

19. The content delivery system of claim 16, wherein the content distributor comprises broadcasting networks, local broadcasters, cable providers and operators, satellite service provider, and other content providers. (170, 160)

20. The content delivery system of claim 16, wherein the plurality of filtering hubs comprises head-ends, local broadcasters, local satellite stations, and filtering stations. (155)

21. The content delivery system of claim 16, further comprising a plurality of receivers, the plurality of receivers comprising multimedia devices, wherein the multimedia devices comprise content providing sub-system and content receiving sub-system. (see fig.3, content providing sub-systems 310, 320, 340)

Art Unit: 2143

22. The content delivery system of claim 21, wherein the content providing sub-system comprises content display system. (see fig.3, content providing sub-systems 310, 320, 340)

23. The content delivery system of claim 16, wherein the plurality of filtering hubs and the plurality of receivers may be one of logically and physically integrated. (600)

24. A machine-readable medium having stored thereon data representing sets of instructions, the set of instructions which, when executed by a machine, cause the machine to:

- receive content from one or more content sources;
- distribute a metadata dictionary to a plurality of network nodes, wherein the metadata dictionary comprises content descriptors;
- receive a plurality of subscription information from a plurality of corresponding filtering network nodes of the plurality of network nodes, wherein the plurality of subscription information is provided by a plurality of corresponding users via a plurality of receiving network nodes of the plurality of network nodes;
- aggregate the plurality of subscription information;
- using the aggregated subscription information to determine user data including one or more of users' preferences, needs, and interest levels; allocating bandwidth in accordance with the user data;
- generate an aggregated content stream based on the allocated bandwidth, wherein the aggregated content stream comprises aggregated content; and
- distribute the aggregated content stream to the plurality of filtering network nodes.

Art Unit: 2143

(Claims 24 is similarly rejected as in claim 1)

25. The machine-readable medium of claim 24, wherein the sets of instructions which, when executed by the machine, further cause the machine to:

generate a plurality of user profiles comprising the plurality of subscription information;

associate the content descriptors with the plurality of user profiles; save the user profiles;

generate a plurality of personalized content streams based on the plurality of user profiles by

dividing the aggregated content stream into the plurality of personalized content streams; and

provide the plurality of personalized content streams to the plurality of receiving network nodes.

(figs.1-4)

26. The machine-readable medium of claim 25, wherein to generate the plurality of

personalized content streams further cause the processor to filter the aggregated content stream

by comparing the aggregated content stream with the plurality of user profiles. (610-660)

27. The machine-readable medium of claim 24, wherein the sets of instructions which, when

executed by the machine, further cause the processor machine to provide the plurality of

personalized content streams to the plurality of corresponding users. (330)

Response to Arguments

4. Applicant's arguments with respect to claims 1-5, 16, and 19-27 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2143

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Pwu whose telephone number is 571 272-6798. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



1/7/06

JEFFREY PWU
SENIOR EXAMINER